



Express Mail No. EV473972060US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Brines et al. Confirmation No.: 5119
Serial No.: 09/717,057 Art Unit: 1647
Filed: November 21, 2000 Examiner: DeBerry, Regina M.
For: MODULATION OF EXCITABLE Attorney Docket No: 10165-010-999
TISSUE FUNCTION BY
PERIPHERALLY ADMINISTERED
ERYTHROPOIETIN

REQUEST FOR A CORRECTED FILING RECEIPT

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants enclose a marked-up copy of the Updated Filing Receipt issued April 24, 2001 by the United States Patent and Trademark Office (USPTO) in connection with the above-identified application. Please note the requested correction indicated on the marked-up copy.

The Updated Filing Receipt states that this application claims benefit of priority of U.S. Provisional Application No. 60/118,030 filed February 1, 1999, which is incorrect. The Filing Receipt should state under Domestic Priority data as claimed by applicant:

THIS APPLICATION IS A DIV OF 09/547,220 04/11/2000
WHICH CLAIMS BENEFIT OF 60/129,131 04/13/1999

Applicants also enclose herewith a copy of the first original Filing Receipt issued March 22, 2001, which contains the correct Domestic Priority data as claimed by applicant under the heading "Continuing Data as Claimed by Applicant." Applicants also enclose a copy of an Application Data Sheet Under 37 C.F.R. § 1.72, which indicates the priority information of the application, and the return Express Mail Receipt, dated February 22, 2001.

Applicants also note that the Group Art Unit on the Updated Filing Receipt is listed as 1636. Applicants request that this be corrected to 1647 as reflected on the Fee Transmittal (PTOL-85) submitted concurrently herewith.

It is respectfully requested that the USPTO correct this error and forward a corrected Filing Receipt to the undersigned.

No fee is believed to be due for this submission since the error has been made on the part of the USPTO. Should any fee be due, please charge the required fee to Jones Day Deposit Account No. 50-3013.

Respectfully submitted,

Date: August 14, 2007

Laura A. Coruzzi
Laura A. Coruzzi
JONES DAY
222 East 41st Street
New York, New York 10017
(212) 326-3939

30,742
Reg. No.

Iny Aileen E. Falvey 46,097



Page 1 of 4

E. Falvey
1725



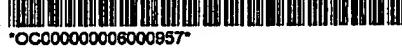
UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY.DOCKET.NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/717,057	11/21/2000	1636	420	10165-010-999	17	11	1

CONFIRMATION NO. 5119
UPDATED FILING RECEIPT

Pennie & Edmonds LLP
1155 Avenue of the Americas
New York City, NY 10036-2711



OC000000006000957

Date Mailed: 04/24/2001

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the PTO processes the reply to the Notice, the PTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Michael Brines, Woodbridge, CT;
Anthony Cerami, New York City, NY;
Carla Cerami, Sleepy Hollow, NY;

Domestic Priority data as claimed by applicant

THIS APPLICATION IS A DIV OF 09/547,220 04/11/2000 /
WHICH CLAIMS BENEFIT OF 60/129,131 04/13/1999 /
WHICH CLAIMS BENEFIT OF 60/118,030 02/01/1999 /
- (*) Date inconsistent with PTO records.

Foreign Applications

If Required, Foreign Filing License Granted 03/21/2001

Projected Publication Date: N/A

Non-Publication Request: No

Early Publication Request: No

** SMALL ENTITY **

REFERRED TO	RECD
MAY 02 2001	
Pennie & Edmonds	
O.K. for filing	

Title

Modulation of excitable tissue function by peripherally administered erythropoietin✓

Preliminary Class

435

Data entry by : TABA, LORNA

Team : OIPE

Date: 04/24/2001



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Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

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PLEASE NOTE the following information about the Filing Receipt:

- The articles such as "a," "an" and "the" are not included as the first words in the title of an application. They are considered to be unnecessary to the understanding of the title.
- The words "new," "improved," "Improvements in" or "relating to" are not included as first words in the title of an application because a patent application, by nature, is a new idea or improvement.
- The title may be truncated if it consists of more than 600 characters (letters and spaces combined).
- The docket number allows a maximum of 25 characters.
- If your application was submitted under 37 CFR 1.10, your filing date should be the "date in" found on the Express Mail label. If there is a discrepancy, you should submit a request for a corrected Filing Receipt along with a copy of the Express Mail label showing the "date in."
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Washington, DC 20231**



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APPLICATION NUMBER	FILED DATE	GRP ART UNIT	FIL FEE REC'D	ATTY.DOCKET.NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/717,057 ✓	11/21/2000 ✓	1636 ✓	355	10165-010-999 ✓	17	11	1

CONFIRMATION NO. 5119

20583
PENNIE AND EDMONDS
1155 AVENUE OF THE AMERICAS
NEW YORK, NY 100362711

FILING RECEIPT



OC000000005889361

Date Mailed: 03/22/2001

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Michael Brines, Woodbridge, CT; ✓
Anthony Cerami, New York City, NY; ✓
Carla Cerami, Sleepy Hollow, NY;

Continuing Data as Claimed by Applicant

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Foreign Applications

If Required, Foreign Filing License Granted 03/21/2001

Projected Publication Date:

Non-Publication Request: No

Early Publication Request: No

** SMALL ENTITY **

Title

Modulation of excitable tissue function by peripherally administered erythropoietin ✓

REFERRED TO SOLNEY
REC'D
MAR 29 2001
Pennie & Edmonds
O.K. for filing

Preliminary Class

435

Data entry by : TSIGE, WUBALEM

Team : OIPE

Date: 03/22/2001



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Title 37, Code of Federal Regulations, 5.11 & 5.15**

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This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 36 CFR 1.53(d). This license is not retroactive.

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- The title is recorded in sentence case.

Any corrections that may need to be done to your Filing Receipt should be directed to:

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Office of Initial Patent Examination
Customer Service Center
Washington, DC 20231**



Express Mail No.: EL 501 637 075 US

APPLICATION DATA SHEET UNDER 37 C.F.R. § 1.72

Inventor Information:

Inventor One:

Given Name: Michael
Family Name: Brines
Postal Address Line One: 1 Wepawaug Road
City: Woodbridge
State or Province: Connecticut
Postal or Zip Code: 06525
Citizenship Country: United States

Inventor Two:

Given Name: Anthony
Family Name: Cerami
Postal Address Line One: 170 Mercer Street
City: New York City
State or Province: New York
Postal or Zip Code: 10012
Citizenship Country: United States

Inventor Three:

Given Name: Carla
Family Name: Cerami
Postal Address Line One: 121 Farrington Avenue,
City: Sleepy Hollow
State or Province: New York
Postal or Zip Code: 10591
Citizenship Country: United States

Correspondence Information:

Name Line One:
Address Line One: Pennie & Edmonds LLP
Address Line Two: 1155 Avenue of the Americas
City: New York City
State or Province: New York
Postal or Zip Code: 10036-2711
Telephone One: (212) 790-2803
Telephone Two: (212) 790-9090
Fax: (212) 869-9741/8864
Electronic Mail:

Application Information:

Title Line One: MODULATION OF EXCITABLE TISSUE FUNCTION
Title Line Two: BY PERIPHERALLY ADMINISTERED ERYTHROPOIETIN
Total Drawing Sheets: 17
Formal Drawings?: No
Application Type: Utility
Docket No.: 10165-010-999

Representative Information:

Representative Customer No.: 20583

Continuity Information:

This application is a: Divisional application of pending
Application One: Application No. 09/547,220
Filing Date: April 11, 2000

claiming priority to:

Application Two: Application No. 60/129,131
Filing Date: April 13, 1999

NY2-1166728.4

T00019355.A